

Application No. 10/811,249
Attorney Docket No: 25307A

Remarks

Support for the above-requested amendments to claims 1 and 21 is found at least in paragraphs [0018] and [0023]. Additional support for the amendments to claim 1 is found at least at paragraph [0025]. Support for the amendments to claim 11 is found at least in paragraphs [0014], [0020]-[0022], and [0028]. Claim 12 has been amended to clarify that the binder is a sugar. Claim 15 has been amended for grammatical reasons. Claim 25 has been canceled without prejudice. New claim 26 is supported at least by paragraph [0030]. Claims 3 and 17-20 were canceled without prejudice in a previous response. No question of new matter arises and entry of the amendments and new claim 26 is respectfully requested.

Claims 1, 3-16, 21-24, and 26 are before the Examiner for consideration.

Formal Matter

As shown above, Applicant has added new claim 26 by amendment and canceled claim 25 without prejudice. Because the total number of claims Applicant is submitting for examination is not greater than twenty, Applicant respectfully submits that no additional filing fees are required for newly added claim 26. Additionally, because support for new claim 26 is found in the specification, as identified in the opening paragraph of the Remarks, Applicant respectfully submits that claim 26 does not contain any new matter.

Rejection under 35 U.S.C. §112, first paragraph

Claims 11-16 have been rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. In particular, the Examiner asserts that claim 11 requires only that the internal glass fibers are not bonded by the binder. As a result, the Examiner asserts that the internal fibers, as claimed, could be bonded by another binder and are therefore not necessarily "unbonded". Thus, it is concluded that the scope of claim 11 is broader than the disclosure.

In response to this rejection, Applicant has amended claim 11 to recite that the fibers within the encapsulated shell formed of bonded glass fibers are unbonded fibers. Applicant submits that, as amended, claim 11 is supported by the disclosure as filed. Accordingly, Applicant respectfully requests reconsideration and withdrawal of this rejection.

Rejection under 35 U.S.C. §112, second paragraph

Claim 12 has been rejected under 35 U.S.C. §112, second paragraph, as being indefinite. In particular, the Examiner asserts that there is a lack of antecedent basis for the phrase "said sugar" in claim 12.

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In response to this rejection, Applicant has amended claim 12 to specifically recite that the binder is a sugar. As amended, Applicant respectfully submits that claim 12 is sufficiently definite and respectfully request that this rejection be reconsidered and withdrawn.

Rejection under 35 U.S.C. §102(b)

Claims 11, 15, and 16 have been rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 3,730,808 to Fekete, *et al.* ("Fekete"). In particular, the Examiner asserts that Fekete teaches a method of making a fiber reinforced resin article where a layer of resin is first applied to the surface of a mold and multiple layers of continuous glass strands are added to the mold. The Examiner also asserts that the layer of glass strands adjacent to the resin layer bonds with the resin layer when forming the composite article, and the added layers of fiber that do not contact the resin layer are not bonded with the binder. Additionally, the Examiner asserts that the fiber mat extends at angles to the mean prime of the mat, and, as a result, the fiber mats are texturized.

In response to this rejection, Applicant respectfully directs the Examiner's attention to independent claim 1 and submits that claim 1 defines a method of forming a preform that is not taught within Fekete. Fekete teaches composite fiber reinforced polyester resin articles that have a multilayered structure. (*See, e.g.*, column 1, lines 11-12 and 33-34). Preassembled mats containing fibers and an uncured, pre-thickened polyester resin material are subjected to heat and pressure to consolidate the assembled layers of mats and cure the resin material of the different layers. (*See, e.g.*, column 3, lines 35-52). The surface layers may be a veil of reinforcement fibers and the core layers are formed of a dense reinforcement of coarse fibers. (*See, e.g.*, column 3, lines 41-50). In at least one embodiment, the interior or core mats are formed of a chopped strand mat. (*See, e.g.*, column 4, lines 26-29). The pressure may be applied by a press or to matched metal molds. (*See, e.g.*, column 4, lines 70-75 and column 5, lines 47-49). A panel may be formed and may be completely encapsulated within a surfacing layer, such as, for example, by applying the surface layer to the faces and edges of the core layers. (*See, e.g.*, column 5, lines 49-53). The article may then be consolidated and cured in the mold. (*See, e.g.*, column 5, lines 53-56). The invention may be used to form a wide variety of composite articles, such as panels, containers, electrical components, and bathroom fixtures. (*See, e.g.*, column 5, lines 33-37).

Applicant respectfully submits that Fekete does not teach feeding one or more continuous strands of glass fibers to a preform mold. Fekete specifically teaches layering mats formed of reinforcement fibers, either on a support or in a mold, and applying heat and pressure to consolidate and cure the polyester resin material. (*See, e.g.*, column 3, lines 35-52, column 4, lines 67-75, and column 5, lines 48-57). In order for a reference to be anticipatory, each and every element of the claimed invention must be present within the four corners of the cited reference. Because Fekete does

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not teach feeding one or more continuous strands of glass fibers to a preform mold, Applicant respectfully submits that Fekete is not an anticipatory reference. Therefore, Applicant submits that independent claim 11 is not anticipated by Fekete. With respect to dependent claims 15 and 16, Applicant submits that because independent claim 11 is not taught within Fekete and claims 15 and 16 are dependent upon independent claim 11 and contain the same elements as claim 11, dependent claims 15 and 16 are also not taught by Fekete.

In view of the above, Applicant submits that claims 11, 15, and 16 are not anticipated by Fekete and respectfully request that this rejection be reconsidered and withdrawn.

Rejection under 35 U.S.C. §103(a)

The Examiner has rejected claims 1, 2, 4-10, and 21-25 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,766,541 to Knutsson, *et al.* ("Knutsson") in view of U.S. Patent No. 5,317,037 to Golden, *et al.* ("Golden"), or U.S. Patent No. 6,800,364 to Chiu *et al.* ("Chiu"), or U.S. Patent No. 6,254,810 to Delvaux, *et al.* ("Delvaux"). The Examiner asserts that Knutsson teaches a method for making performs from glass fiber strands where the glass fibers are texturized by separation to form a wool-type product prior to entry into the mold. The Examiner makes note that Knutsson makes reference by incorporation to U.S. Patent No. 4,569,471 to Ingemansson, *et al.* which assertedly teaches that the texturized wool fiber may travel through a hose prior to being fed into the mold. It is asserted that the binder, water, and glass fibers of Knutsson are fed into the mold and the mold is heated to cure the binder. The Examiner admits that Knutsson does not disclose sugar as a binder. In this regard, Golden, Chiu, and Delvaux are independently cited as assertedly teaching methods of making molded fiber reinforced composites using sugar as a binder.

Initially, Applicant submits that claim 25 has been canceled without prejudice, thereby rendering the rejections of this claim moot. In addition, because the Examiner has rejected Knutsson in view of the secondary references separately, Applicant will address Knutsson and each secondary reference separately for ease of discussion.

1. Knutsson in view of Golden

In response to this rejection, Applicant respectfully directs the Examiner's attention to the amendments made to independent claims 1 and 21 and submits that claims 1 and 21, as amended, define methods of forming a preform that are not taught or suggested within Knutsson and Golden, either alone or in combination. Knutsson teaches a method and apparatus for forming a preform from glass fiber strand material for use in engine exhaust mufflers. (See, *e.g.*, column 1, lines 40-43 and the Abstract). The preform is formed by feeding continuous glass fiber strand material into a mold. (See, *e.g.*, column 3, lines 50-52). As the strand material is fed into the mold, the glass fibers forming the strand separate from each other and form a wool-type product. (See, *e.g.*, column 3, lines 52-55

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and column 8, lines 48-50). A thermoplastic or thermoset binder material and water is then added to the preform. (*See, e.g.*, column 3, lines 55-56 and 59-60 and column 11, lines 41-46). The binder and the glass strand material may be added to the mold separately or simultaneously. (*See, e.g.*, column 8, lines 50-51 and 58-60). Once the mold contains the desired amount of wool-type material, the molds are compressed to compact the wool-type material to a desired density. (*See, e.g.*, column 9, lines 19-21). After compression, heated air is passed through the mold to cure the binder. (*See, e.g.*, column 9, lines 60-62). The female and male portions of the mold are separated and the cooled preform is removed. (*See, e.g.*, column 10, lines 21-28).

Golden discloses a melt-moldable composition that disintegrates in the presence of moisture and decomposes or degrades to produce components that are inert or beneficial to the ground. (*See, e.g.*, column 2, lines 24-27 and 48-52). The composition can be shaped into useful articles that have a mechanical strength that is sufficient for its intended use (*e.g.*, golf tees, golf pencils, and clay pigeons), but which allows the article to disintegrate and decompose after it is broken. (*See, e.g.*, column 2, lines 28-32 and column 3, lines 11-21). The composition includes a binder that is preferably a natural substance such as sugar. (*See, e.g.*, column 2, lines 56-60). The natural binder is present in the composition in an amount from 30-98% by weight binder. (*See, e.g.*, column 2, line 68 to column 3, line 1). Water or synthetic polymers may be used together with the natural binders and chemical additives may be added to accelerate the decomposition of the article. (*See, e.g.*, column 2, lines 60-68 and column 3, lines 31-38). The composition further includes biodegradable reinforcing fibers, preferably cellulosic fibers from wood pulp, cotton, linen, viscose rayon, and sisal materials. (*See, e.g.*, column 3, lines 39-42). Inorganic fibers such as wollastonite and glass fibers may also be employed in the composition. (*See, e.g.*, column 2, line 55 and column 3, lines 44-45). In addition, Applicant submits that the binder amount taught in Golden teaches away from the presently claimed invention.

Applicant respectfully submits that the combination of Knutsson and Golden would not result in the inventions claimed in claims 1 and 21. As discussed above, Golden teaches the use of a natural substance such as sugar in a binder for biodegradable objects. (*See, e.g.*, column 2, lines 56 – 60). In addition, Golden teaches that for the natural binder to be effective, the composition needs to have at least 30% by weight binder (*i.e.*, 30-98% binder). (*See, e.g.*, column 2, line 68 to column 3, line 1 and Examples 2-10 at column 4, line 59 to column 5, line 50). Applicant respectfully submits that to evaluate the obviousness or non-obviousness of an invention, both the prior art reference(s) and the claimed invention as a whole must be considered. (*See, e.g.*, *Manual of Patent Examining Procedure*, Patent Publishing, LLC, Eighth Ed., Rev. 3, August 2005, §2141.02 citing *Stratoflex, Inc. v. Aeroquip Corp.*, 713 F.2d 1530, 218 USPQ 871 (Fed. Cir. 1983) and *Schenck v. Nortron Corp.*, 713 F.2d 782, 218 USPQ 698 (Fed. Cir. 1983)). Thus, it is respectfully submitted that if one of skill in the art were

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to substitute the natural binder taught in Golden for the binder of Knutsson, the natural binder (*i.e.*, sugar) would necessarily have to be present in an amount from 30-98% by weight. This is vastly different from the amount of binder utilized in the inventive methods (*i.e.*, 2-10% by weight). In addition, Applicant submits that having a sugar binder present in an amount from 30-98% by weight would result in a muffler preform that does not contain a sufficient amount of glass fibers to form an acceptable muffler preform. Without a sufficient amount of glass fibers, the sound deadening properties of the muffler would be significantly reduced and, as a result, the invention would be rendered useless for its intended purpose.

Additionally, in viewing the prior art references as a whole (*id.*), Applicant submits that although Golden teaches that natural substances such as sugar, polydextrose, maltose, and gelatin may be used as a binder, Golden as a whole teaches the use of the fibers and binder to form a biodegradable product. (*See, e.g.*, column 2, lines 56-60). Moreover, the Abstract of Golden clearly states that the fibrous material may be cellulose and/or mineral fibers which provide the attributes of reinforcement and degradability. If the muffler performs of claims 1 and 21 were to disintegrate or biodegrade, as is taught by Golden, the sound deadening properties of the muffler would be lost and the muffler would be rendered useless for its intended purpose. Thus, it is submitted that one of ordinary skill in the art would simply not glean from the teachings of Golden to apply a sugar binder to a preform mold and form a muffler preform as recited in amended claims 1 and 21. As such, Applicant respectfully submits that there is no motivation for one of skill in the art to combine the teachings of Knutsson and Golden. To establish a *prima facie* case of obviousness, there must be some motivation, either within the reference or in the knowledge of those of skill in the art, to modify the reference or combine the references' teachings, there must be a reasonable expectation of success, and the prior art references must meet all of the claim limitations. (*See, e.g., Manual of Patent Examining Procedure*, Patent Publishing, LLC, Eighth Ed., Rev. 3, August 2005, §2142). Without some teaching or suggestion, there can be no motivation, and without motivation, there can be no *prima facie* case of obviousness.

In view of the above, Applicant respectfully submits that amended claims 1 and 21 are patentably distinguishable over Knutsson and Golden, either alone or in combination. Because claims 2 and 4-10 are dependent upon independent claim 1 and claims 22-24 are dependent upon claim 21, which, as discussed above, are not taught within the Examiner's cited references, either alone or in combination, claims 2, 4-10, and 22-24 are also submitted to be non-obvious and patentable. Thus, Applicant respectfully submits that claims 1, 2, 4-10, and 21-24 are not obvious over Knutsson in view of Golden.

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2. Knutsson in view of Chiu

In response to this rejection, Applicant respectfully directs the Examiner's attention to the amendments made to independent claims 1 and 21 and submits that claims 1 and 21, as amended, define methods of forming a preform that are not taught or suggested within Knutsson and Chiu, either alone or in combination. Because the method of Knutsson was discussed in detail above, it will not be discussed in detail with respect to this rejection over Chiu.

Chiu teaches thermal insulation that is suitable for forming insulation boards and other structural insulation products. (*See, e.g.*, column 2, lines 58-60). In forming the thermal insulation, reinforcement fibers are mixed with a liquid binder, such as a sugar solution. (*See, e.g.*, column 2, lines 58-62 and column 4, lines 11-19). The reinforcement material preferably includes isotropic pitch-based carbon fibers, either alone or mixed with other carbon fibers. (*See, e.g.*, column 3, lines 1-3). The liquid binder may be an aqueous solution of a soluble sugar such as a monosaccharide or disaccharide. (*See, e.g.*, column 4, lines 13-15). Excess binder may be removed by filtering the mixture of fibers and liquid binder through a filter material. (*See, e.g.*, column 2, lines 62-65 and column 5, lines 1-11). For higher density products, light pressure may be applied to the preform. (*See, e.g.*, column 5, lines 35-37). Excessive pressure, however, can compromise the insulative properties of the final product. (*See, e.g.*, column 5, lines 37-38).

Applicant submits that neither Knutsson nor Chiu teach or suggest adding a powdered or granulated sugar to a preform mold, where the sugar acts as a binder to hold the glass fibers together and form a preform for a muffler as claimed in claims 1 and 21. Chiu specifically teaches the addition of a liquid (aqueous) sugar binder. (*See, e.g.*, column 2, lines 58-62 and column 4, lines 11-19). There is no teaching or suggestion within the four corners of Chiu of utilizing a powdered or granulated sugar as a binder. In fact, Chiu is silent with respect to any teaching or suggestion of a powdered or granulated sugar for any use. The only binder that is discussed in Chiu is a liquid binder. Knutsson is silent regarding any teaching of a sugar, as a binder or for any other purpose. As such, it is respectfully submitted that the combination of Knutsson and Chiu would not result in the inventions claimed in claims 1 and 21.

Additionally, it is respectfully submitted that the prior art references teach away from the inventions claimed in amended independent claims 1 and 21. For example, Knutsson teaches the use of a phenolic binder and Chiu teaches the use of a liquid sugar binder. These binders are very different from the powdered or granulated sugar binder required by amended claims 1 and 21. Thus, Applicant submits that one of skill in the art would be led away from utilizing a powdered or granulated sugar binder based on the teachings of Knutsson and Chiu.

In addition, Applicant submits that there is no motivation for one of skill in the art to arrive at the inventions claimed in claims 1 and 21 based on the disclosures of Knutsson and/or Chiu. As

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discussed above, to establish a *prima facie* case of obviousness, there must be some motivation, either within the reference or in the knowledge of those of skill in the art, to modify the reference or combine the references' teachings, there must be a reasonable expectation of success, and the prior art references must meet all of the claim limitations. (*See, e.g., Manual of Patent Examining Procedure*, Patent Publishing, LLC, Eighth Ed., Rev. 3, August 2005, §2142). It is respectfully submitted that one of ordinary skill in the art would not be motivated to arrive at the methods of forming a preform for a muffler that includes adding a powdered or granulated sugar and glass fibers to a preform mold based on the teachings of Knutsson and Chiu because both Knutsson and Chiu are silent as to any teaching or suggestion of a powdered or granulated sugar binder. As a result, one of ordinary skill in the art would not be motivated to utilize a powdered or granulated sugar in a method for forming a muffler preform based on the teachings of Knutsson and/or Chiu. Without some teaching or suggestion, there can be no motivation, and without motivation, there can be no *prima facie* case of obviousness.

In view of the above, Applicant respectfully submits that amended claims 1 and 21 are patentably distinguishable over Knutsson and Chiu, either alone or in combination. Because claims 2 and 4-10 are dependent upon independent claim 1 and claims 22-24 are dependent upon claim 21, which, as discussed above, are not taught within the Examiner's cited references, either alone or in combination, claims 2, 4-10, and 22-24 are also submitted to be non-obvious and patentable. Thus, Applicant respectfully submits that claims 1, 2, 4-10, and 21-24 are not obvious over Knutsson in view of Chiu.

3. Knutsson in view of Delvaux

In response to this rejection, Applicant respectfully directs the Examiner's attention to the amendments made to independent claims 1 and 21 and submits that claims 1 and 21, as amended, define methods of forming a preform that are not taught or suggested within Knutsson and Delvaux, either alone or in combination. Because the method of Knutsson was discussed in detail above, it will not be discussed in detail with respect to this rejection over Delvaux.

Delvaux teaches a coating composition and a method for the protection of a fabric made of heat resistant fibers. (*See, e.g.,* column 3, lines 19-21 and the Abstract). The composition is especially useful for glass fibers like those used for the manufacture of filters in the metallurgical industry. (*See, e.g.,* column 3, lines 21-22 and Abstract). The composition consists of an aqueous suspension of wollastonite, colloidal silica, and sugar. (*See, e.g.,* column 3, lines 27-29). Once the composition is made, it is deposited onto the fabric to impregnate the fibers of the fabric. (*See, e.g.,* column 4, lines 9-12). Excess composition is removed to avoid obliterating the free spaces of the fabric. (*See, e.g.,* column 4, lines 12-13). The fabric is then dried by heating the fabric to a temperature below the melting temperature of the sugar. (*See, e.g.,* column 4, lines 2-24). The fabric

is then subjected to a thermoformed and thermal treatment. (*See, e.g.*, column 4, lines 29-32 and 46-48).

Applicant submits that neither Knutsson nor Delvaux teach or suggest adding a powdered or granulated sugar and glass fibers to a preform mold where the sugar acts as a binder to hold the glass fibers together and form a preform for a muffler as claimed in claims 1 and 21. Delvaux teaches using sugar as part of a coating composition that also includes wollastonite and colloidal silica. Delvaux does not, however, teach or suggest utilizing a powdered or granulated sugar as a binder. In fact, Delvaux is silent with respect to any teaching or suggestion of a powdered or granulated sugar for any use. The only binder that is discussed in Delvaux is a binder that contains a sugar solution. (*See, e.g.*, column 4, lines 1-6). Knutsson is silent regarding any teaching of a sugar, as a binder or for any other purpose. As such, it is respectfully submitted that claims 1 and 21 are not taught or suggested by Knutsson and Delvaux and are therefore non-obvious and patentable.

Additionally, it is respectfully submitted that the prior art references teach away from the inventions claimed in amended independent claims 1 and 21. For example, Knutsson teaches the use of a phenolic binder and Delvaux teaches the use of an aqueous sugar in a binder composition. These binders are vastly different from the powdered or granulated sugar binder required by amended claims 1 and 21. Thus, Applicant submits that one of skill in the art would be led away from utilizing a powdered or granulated sugar binder based on the teachings of Knutsson and Delvaux.

In addition, as discussed previously, to evaluate the obviousness or non-obviousness of an invention, both the prior art reference(s) and the claimed invention as a whole must be considered. (*See, e.g., Manual of Patent Examining Procedure*, Patent Publishing, LLC, Eighth Ed., Rev. 3, August 2005, §2141.02 citing *Stratoflex, Inc. v. Aeroquip Corp.*, 713 F.2d 1530, 218 USPQ 871 (Fed. Cir. 1983) and *Schenck v. Nortron Corp.*, 713 F.2d 782, 218 USPQ 698 (Fed. Cir. 1983)). In the inventions claimed in claims 1 and 21, a powdered or granulated sugar and glass fibers are fed into a preform mold. Delvaux, on the other hand, teaches impregnating glass fibers in a fabric with a composition that consists of sugar, wollastonite, and colloidal silica. Applicant respectfully submits that one of skill in the art cannot pick and choose elements (such as the sugar present in the coating composition of Delvaux) from the cited reference(s) to arrive at the claimed inventions. Therefore, it is respectfully submitted that the combination of Knutsson and Delvaux would not result in the inventions claimed in claims 1 and 21.

Further, Applicant submits that there is no motivation for one of skill in the art to arrive at the inventions claimed in claims 1 and 21 based on the disclosures of Knutsson and/or Delvaux. To establish a *prima facie* case of obviousness, there must be some motivation, either within the reference or in the knowledge of those of skill in the art, to modify the reference or combine the references' teachings, there must be a reasonable expectation of success, and the prior art references

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must meet all of the claim limitations. (*See, e.g., Manual of Patent Examining Procedure*, Patent Publishing, LLC, Eighth Ed., Rev. 3, August 2005, §2142). It is respectfully submitted that one of ordinary skill in the art would not be motivated to arrive at the methods of forming a preform for a muffler that includes adding a powdered or granulated sugar and glass fibers to a preform mold based on the teachings of Knutsson and/or Delvaux because neither Knutsson nor Delvaux teach or suggest a powdered or granulated sugar binder. As a result, one of ordinary skill in the art would not be motivated to utilize a powdered or granulated sugar in a method for forming a muffler preform based on the teachings of Knutsson and/or Delvaux. Without some teaching or suggestion, there can be no motivation, and without motivation, there can be no *prima facie* case of obviousness.

In view of the above, Applicant respectfully submits that amended claims 1 and 21 are patentably distinguishable over Knutsson and Delvaux, either alone or in combination. Because claims 2 and 4-10 are dependent upon independent claim 1 and claims 22-24 are dependent upon claim 21, which, as discussed above, are not taught within the Examiner's cited references, either alone or in combination, claims 2, 4-10, and 22-24 are also submitted to be non-obvious and patentable. Thus, Applicant respectfully submits that claims 1, 2, 4-10, and 21-24 are not obvious over Knutsson in view of Delvaux.

4. Conclusion

As discussed above, none of the Golden, Chiu, or Delvaux teach or suggest a sugar binder that can be combined with Knutsson to arrive at the inventive methods claimed in claims 1 and 21. As a result, it is respectfully submitted that claims 1 and 21 are not taught or suggested by Knutsson, in view of any of Golden, Chiu, or Delvaux, either alone or in any combination. Therefore, it is respectfully submitted that claims 1 and 21 are non-obvious and patentable. Accordingly, Applicant respectfully requests that this rejection be reconsidered and withdrawn.

Rejection under 35 U.S.C. §103(a)

The Examiner has rejected claim 12 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 3,730,808 to Fekete, *et al.* ("Fekete"). The Examiner admits that Fekete does not teach the use of sugar as a binder. However, the Examiner asserts that sugar is a conventional binder and it would have been obvious to one of skill in the art to utilize sugar as the binder.

In response to this rejection, Applicant respectfully directs the Examiner's attention to the amendments made to independent claim 11 and submits that claim 11 defines a method of forming a preform that is not taught or suggested within Fekete. Fekete teaches layering mats formed of reinforcement fibers, either on a support or in a mold, and applying heat and pressure to consolidate and cure the polyester resin material. (*See, e.g.,* column 3, lines 35-52, column 4, lines 67-75, and column 5, lines 48-57). Fekete does not, however, teach or suggest feeding one or more continuous

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strands of glass fibers to a preform mold as required by claim 11. Fekete only teaches the use of glass fiber mats and veils, and is silent regarding the use of continuous strands of glass fibers. Therefore, it is respectfully submitted that claim 11, as amended, is not taught or suggested by Fekete.

Additionally, Applicant submits that there is no motivation for one of skill in the art to arrive at the invention claimed in claim 11 based on the disclosure of Fekete. As discussed above, to establish a *prima facie* case of obviousness, there must be some motivation, either within the reference or in the knowledge of those of skill in the art, to modify the reference or combine the references' teachings, there must be a reasonable expectation of success, and the prior art references must meet all of the claim limitations. (See, e.g., *Manual of Patent Examining Procedure*, Patent Publishing, LLC, Eighth Ed., Rev. 3, August 2005, §2142). It is respectfully submitted that one of ordinary skill in the art would not be motivated to arrive at the method of forming a preform claimed in claim 11 that includes (1) placing a binder on internal walls of a preform mold prior to feeding one or more continuous strands of glass fibers to the preform mold; (2) feeding the one or more continuous strands of glass fibers to the preform mold; and (3) curing the binder to bond glass fibers positioned adjacent to the internal walls of the preform mold together and form the preform, where the bonded glass fibers form an encapsulating shell of glass fibers bonded by the binder and where the bonded glass fibers surround internal, unbonded glass fibers based on the teachings of Fekete when Fekete is silent as to any teaching or suggestion of feeding one or more continuous strands of glass fibers to a preform mold. As a result, one of ordinary skill in the art would not be motivated to utilize one or more continuous strands in a method of forming a preform as claimed in claim 11 based on the teachings of Fekete. Without some teaching or suggestion, there can be no motivation, and without motivation, there can be no *prima facie* case of obviousness.

In view of the above, it is respectfully submitted that independent claim 11 is not taught or suggested by Fekete and that claim 11 is therefore non-obvious and patentable. Because claim 12 is dependent upon claim 11, which is not taught or suggested by Fekete as discussed above and because claim 12 is dependent upon independent claim 11 and contains the same elements as claim 11, dependent claim 12 is also not taught or suggested by Fekete.

In light of the above, Applicant submits that claim 12 is non-obvious and patentable over Fekete and respectfully request reconsideration and withdrawal of this rejection.

Conclusion

In light of the above, Applicant believes that this application is now in condition for allowance and therefore requests favorable consideration.

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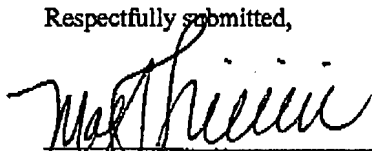
If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

If necessary, the Commissioner is hereby authorized to charge payment or credit any overpayment to Deposit Account No. 50-0568 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

Date:

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